

Luke, Tim

From: Luke, Tim
Sent: Friday, July 30, 1999 9:40 AM
To: King, Scott
Subject: Nichols Heading

Scott,

I spoke with Doug this morning and he said he had been contacted by Babcock regarding the Nichols heading, probably in response to your notice. Babcock swore to Doug that he has a filing on the Nichols. I told Doug that I thought you were very thorough in your review and that our records showed no rights there except the junior ones owned by Pearson. It does not surprise me that Babcock would say this and refute IDWR's investigation. Can you let Doug know, perhaps by e-mail and cc to me, that you checked this thoroughly and/or re-checked Babcock's assertion. I guess if Babcock doesn't file a transfer, then he won't get water delivered there next year - and we wait till then to see what develops.

FYI: Doug shut the river flow off below the Moore yesterday (as well as Spring creek) so the Nichols should not be getting any water at this point.

Tim